IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY EIGHTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 832 of 2001

Between:

Dr. Veerabrahma Krishna S/o V.Yadagiri
Hanmakonda, Warangal Dist.

..... PETITIONER

AND

1 Kakatiya University, Rep by its Registrar,
Warangal.
2 Govt of A.P., Rep by its Secretary, Higher Edu. Dept.,
Secretariat, Hyd.
3 University Grants Commission, rep by its Secretary,
Bahadur Sha Jaffar Marg, New Delhi 110 002.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ of mandamus or any other appropriate writ or writs order or direction declaring the orders issued in GOMs No.173, Higher Education UE.II(1) Dept., dt 12-12-2000 amending GOMs No.208 dt 29-6-99 and the action of the respondents in not paying the petitioner in the same pay scale of Rs3700-5700 as is being paid to direct recuritees, as illegal, void, discriminatory and violative of fundamental rights guaranteed under Arts 14 & 16 of the Constitution of India and to direct the respondents to consider the case of the petitioner for promotion to the post of professor, by virtue of service rendered in the post of reader in the first respondent University irrespective of the scale of pay or in the alternative to hold that the petitioner is entitled to be considered for promotion to the post of professor under career Advancement Scheme as per the application made by the petitioner pursuant to notification issue by the first respondent University on 27-3-2000, duly taking into consideration the eligibility criteria as mentioned in the said notification, by holding that the provisions of GOMs No.173 dt 12-12-2000 are only prospective in operation and it is not applicable to the case of the petitioner.

Counsel for the Petitioner:MR.K.RAGHUVEER REDDY

Counsel for the respondent No. 1: B. Narayana Reddy

Counsel for the Respondent No.2: GP FOR HIGHER EDUCATION

The Court made the following :

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ORDER:

Heard both sides.

It is represented by the learned counsel appearing on either side that the questions involved in this Writ Petitions are squarely covered by the judgment of the Division Bench of this Court in Writ Appeal No. 1735 of 1998 and W.P.Nos. 5426, 36492 of 1998 dated 21.9.2001.

Following the same, this Writ Petition is also allowed. No Costs.

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28.12.2004

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That Rule Nisi has been made absolute as above.

Witness the Hon'ble Sri Devinder Gupta, the Chief Justice on this Tuesday, The Twenty Eighth Day of November Two Thousand and Four.

To

1. Registrar, Kakatiya University,
   Warangal.
2. The Secretary, Govt of A.P.,Higher Edu. Dept.,
   Secretariat, Hyd.
3. Secretary, University Grants Commission,
   Bahadur Sha Jaffar Marg, New Delhi 110 002

4. 2 CCs to G .P. for Higher Education, High Court of A.P. Buildings,
   Hyderabad (OUT)

5. 2 CD copies.